

**CITY OF FITCHBURG
CONSERVATION COMMISSION
DRAFT MEETING MINUTES**

TUESDAY, OCTOBER 30, 2007

COMMISSIONERS IN ATTENDANCE: Tom Starr, Chairman, David Brooks, Mike Donnelly, Harry Karis, Kevin Sanders (associate member)

STAFF IN ATTENDANCE: Tim Smith, Mike O'Hara

CALL TO ORDER: Mr. Starr called the meeting to order at 6:00 p.m. in the Second Floor Conference Room, City Hall.

MISCELLANEOUS

455-459 Princeton Rd.

Mr. Wilber & Mr. Ngyuen in to discuss Enforcement Orders sent to them. Abutter Mr. Bergeron also present.

Kevin: from April to now there has enough progress taking place. At previous ConCom site visit they wanted: deed amendment to refer to OOC, line of 15-20 trees to demarcate wetland boundary (some have been planted), remove rock from wetland, do not alter beyond line of trees.

Commission expressed frustration at lack of progress.

Harry suggested action within two weeks.

Mike D.: applicants chose to use the previous 2-3 months to do other things -- not what was on ConCom's list.

Tom raised possibility of fine.

Agreed that by next Tuesday Mr. Wilber & Mr. Ngyuen would:

- remove woodchips from resource area
- deny access to wetland by planting trees 3-4 foot on center starting at end of stone wall.
- remove boulders that were in wetland behind buildings
- amend master deed to refer to OOC.

If not done, ConCon will start the process to fine.

PUBLIC HEARINGS

Notice of Intent - Lyle, 1440 Rindge Rd., septic repair

Ted Doucette, P.E. presented plan.

Commission reviewed Tim Smith's report -- simple plan & and a simple site.

Doucette noted there are couple typos on plan & it has not yet been approved by Jeff Jerszyk at the Bd. of Health. He is OK w/ a condition requiring revisions to plans to correct typos & incorporating any comments by BOH.

Vote 5-0 to approve with that condition.

Request for Determination of Applicability - Bennett, 222 Bishop Rd., addition

Mr. & Mrs. Bennett presented plan for garage addition to house in buffer zone.

Kevin knows area.

Consensus of Commission -- Hold for now -- want to have the contractor submit plan showing: finish grades, where erosion controls will be, type of backfill.

Notice of Intent - Red Bird Construction, 0 Shea Street (between 621 & 625 Shea St.

Chris Deloge presented plan - for new single-family dwelling

Commission had issued a positive determination several months ago that the ditch traversing the parcel was a resource area.

Chris: is all buffer zone work. He's proposing roof & foundation drains that will run out overland into the ditch.

Commission reviewed Tim Smith's report. Tim: site is pretty much same elevation as wetland to the rear of the ditch. Dilapidated structure should be removed.

Mrs. Niles, 621 Shea St. (abutter on right) is concerned with runoff.
Abutter on Lionel Ave. also concerned. Very high groundwater in area. Entire area was wetland before Shea Street area was built up.

Chris submitted wetlands report from Chuck Caron dated 10-22-07 stating area did not have hydric soils.
Several test pits were dug by Chuck, but Chris didn't know how many or where.
Tim: if groundwater is that close to surface, it might be a resource area.
Suggested more soil testing to establish groundwater level.
Mike & Kevin agree.
Chris will notify Tim when the additional test pits are to be done.

Chris also submitted specs on the proposed metallic tags for permanent demarcation of 20-foot no disturbance buffer zone.

Continued to November 27.

OTHER BUSINESS:

Ralph Romano in to discuss two Enforcement Orders sent to JCJ Homes:

Lots 11-14, Arn-How Farm Rd.

When Commission granted OOC in June '06 they expected the gravel driveways in buffer zone would be removed soon. It has been over a year.

Ralph: housing market v. slow. They were planning to use the gravel elsewheres on site as part of project. There is nowhere on site that is out of the buffer zone.

Mike D: gravel should be removed because it could be long time. Is displacing buffer zone. It could. could remove it from site.

Consensus: give JCJ 6 mos. to remove.

Fairway Homes condo project, off Billings Rd

No activity on site in months. Erosion controls have deteriorated, some places have a gap between silt fence & ground. Ralph has ordered hay bales from Sumners, will get a couple guys to re-stake bales & re-install silt fence within two weeks.

Eliot Field, FSC

Commission has rec'd wetland replication report from SMMA, the college's consultant. Replication is taking well.

OOC required submission of annual reports on the progress of the replication until there is 75% coverage of native wetland plants.

SMMA asking whether ConCom is OK w/ issuing a Cert. of Compliance subject to a continuing condition requiring submittal of annual reports on wetland replication. Commission is OK w/ that.

Baker Brook restoration

Kevin: slope of rip-rap is OK. Too much stone stored in pkg. lot? He will contact Denis Meunier

Tully land swap

Commission updated - bill passed by committee in third reading. Now goes to full legislature.

Certificates of Compliance

issued for

- GAC Homes, 141 Billings Rd. (#155-491)
- GAC Homes, 261 Billings Rd. (#155-488)

Extension permits

Commission issued one-year extension for these lots. Still vacant, OOCs expiring in November 2007.

- GAC Homes, Lot 3A Billings Rd (#155-490)
- GAC Homes, Lot 8A Billings Rd (#155-487)

Bovenzi, South St. & Wanoosnoc Rd. - ConCom wanted enforcement b/c fill in resource area

Unitil - cathodic protection anodes in Putt's Pond.

Tom: Unitil has agreed to a \$5,000 donation. Unitil will work out language of agreement to allow Unitil to place anodes in pond - to include one time only payment, Unitil to be notified of any future disturbance of pond.

OOO signed for Wachusett Development - 41 Sheldon Street

Motion made & seconded to adjourn. Vote unanimous.

Meeting adjourned: 8:00 p.m.

Next meeting: November 27, 2007